

**MINUTES OF THE
SELMA CITY COUNCIL
OCTOBER 25, 2011
5:00 P.M.**

Call to Order

Invocation: Pastor Fred Zeigler,
Church Street United Methodist Church

Pledge of Allegiance

The Selma City Council met in a regular session in the Council Chambers of City Hall on Tuesday, October 25, 2011 at 5:00 p.m.

ROLL CALL

The following Council Members were present during roll call: Council President Dr. Cecil Williamson and Council Members: Councilman Greg Bjelke, Councilwoman Angela Benjamin, Councilman Samuel Randolph, Councilman Benny L. Tucker, and Councilwoman Bennie R. Crenshaw. Others present were Mayor George Evans, City Clerk Ivy S. Harrison, City Attorney Jimmy Nunn, Mrs. Erma Roberts, Accounting Supervisor, and the Mayor's Secretary, Mrs. Rachel Foreman. Councilman Corey Bowie was absent during roll call, but arrived at 5:46 p.m. Councilman Thomas Atchison and Councilwoman Susan Keith were absent from the Council Meeting. City Treasurer Cynthia Mitchell was absent from the Council Meeting. Ms. Brenda (B.J.) Smothers, Mayor's Executive Assistant, was absent from the Council Meeting, due to illness.

APPROVAL OF AGENDA

President Williamson asked for the approval of the agenda items. A motion was made by Councilman Bjelke, and seconded by Councilman Tucker, to approve the agenda items as written. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

APPROVAL OF MINUTES

After approval of the agenda, President Williamson asked for the approval of the minutes of October 11, 2011 regular meeting minutes. A motion was made by Councilman Tucker, and seconded by Councilman Bjelke, to approve the minutes of October 11, 2011. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

CITIZENS' REQUESTS

Mrs. Miah Jackson and District Attorney Michael Jackson
Dallas County Family Drug Court
Re: Funding for Annual Drug Court Holiday Dinner, December 9th at 11:30 a.m.

Ms. R. Abayomi Goodall
Journey to the Center of the Arts
Re: Funding for National Literacy Month (November) in Public Schools

Ms. Jannie Cashman
People-to-People
Re: Funding for People-to-People

New Shady Grove Church (Bishop Scott)
Re: Waiver of Permit Fee and Approval for *Thanksgiving Dinner for the Community*
During discussion, a motion was made by Councilwoman Crenshaw, and seconded by Councilwoman Benjamin, to approve waiving the permit fee in the amount of \$103.40. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.** Mrs. Kay Jones addressed the Council and stated that Representatives from New Shady Grove Church had initially requested the day before Thanksgiving Day, and she does have someone who can work on Thanksgiving Day. President Williamson stated that he thought he said Thanksgiving Day. Bishop Scott responded and stated that they had to get a "back-up date" for that Wednesday, but that they are willing if the Personnel that is normally there would come forward and be in attendance, that they would take care of that Employee's expenses, if the question is not having anyone there. Bishop Scott further stated if the person would say "yes" and come and be at the facility on Thanksgiving Day, then they would bear the expense. A motion was made by Councilman Randolph, and seconded by Councilwoman Benjamin, to waive the fee and approve New Shady Grove Church the opportunity to have a *Thanksgiving Dinner for*

CITIZENS' REQUESTS

the Community, from 10:00 a.m. until 2:00 p.m., pending the availability of an Employee to work on that Holiday. An amended motion was made by Councilwoman Crenshaw, to approve waiving the fee for November 24th, the day before Thanksgiving Day, in the event there is no one available to work on Thanksgiving Day. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.** Before returning to his seat, Bishop Scott thanked Mayor Evans and the Council. **Following the roll call**, Mayor Evans addressed the Council and stated that the Council has voted and taken action on waiving the fee for the "walk", and he wants to seriously say to them that that is going to start some "drama" because they have already charged so many groups for Police Officers and Crossing Guards. Mayor Evans further stated to Council that he would much rather try to find some way to donate that because everybody thus far has been paying the fee, and he would not want the Council to go on record as waiving that fee, and he just wanted to make them aware of that. Councilwoman Crenshaw asked Mayor Evans if she could some time get an update on how many people actually have had to pay for that because she wants to see how it is working. Councilwoman Crenshaw further stated that she thinks that they need to make it part of the record that they plan to cover the fee; that they are not waiving it, but are going to have to get it done. President Williamson stated that it is \$103.00, and he thinks between the Council Members they can cover that, so he expects everybody to "chip" in \$10.00, and the Council concurred.

Mr. Wayne Vardaman
Selma and Dallas County Economic Development Authority
Re: *Resolution of Consent* - Global Metallurgical, Incorporated

Mr. Wayne Vardaman addressed the Council and introduced Mr. Mark Nau, Plant Manager of Globe Metallurgical, Incorporated. Mr. Vardaman further stated that they are embarking on an enlargement of their Facility, and are adding some extra operations that will actually increase employment. Mr. Vardaman stated "net & net" they will increase employment by 5 people, but they will invest \$8 Million Dollars which is significant in this Community, and this investment will also help them increase sales which should increase more jobs "down the road". Mr. Vardaman further stated that last night he and "Mark" went before the County Commission, to ask them to abate Property Sales and Use Tax, in the amount of approximately \$367,874.00 which they granted, but because they are in the Police Jurisdiction we would have to do a Resolution to Consent to that Abatement. Mr. Vardaman stated the effect on us as far as sales tax is concerned, is about \$14,624.00. Mr. Vardaman stated that they would like to ask us tonight to Consent to the Resolution passed last night by the County Commission. A motion was made by Councilman Tucker, and seconded by Councilman Bjelke, to approve the Abatement of Property Sales and Use Tax passed by the County Commission, in the amount \$367,874.00, which would affect our sales tax in an approximate amount of \$14,624.00. **A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.**

Mrs. Sadie M. Moss, Director
McRae Learning Center
Re: To Explain "*Selma Star Power*" Celebrations

Ms. Jackie Peoples
Selma Middle CHAT Academy
Re: Funding for the Selma Middle CHAT Academy Robotics Team

Mrs. Nancy Sewell, Former City Councilwoman
Alpha Kappa Alpha Sorority, Incorporated - Reading is Fundamental Program (R.I.F.)
Re: Funding for R.I.F. Day and Breakfast with Santa

Mrs. Latresha Davidson-Woods
Selma High School
Re: Funding for Tour of Historically Black Colleges & Universities
Mrs. Woods was absent due to illness, but Councilwoman Benjamin spoke on behalf of her request.

PUBLIC COMMENTS ON REDISTRICTING

Mrs. Sylvia Smith addressed the Council, and made a public comment. Mrs. Smith stated that she noticed on some of the versions of the Redistricting, that they have carved out a little corner of the Historic District, and taken it out of Ward 3. Mrs. Smith further stated that she thinks for a number of years now the Historic Districts of Old Town, Ice House, and Riverview have all been in Ward 3, and she thinks that it will be a good thing to keep that all in Ward 3.

MAYOR'S REPORT

PRESENTATIONS, RECOGNITIONS AND PROCLAMATIONS

Mayor Evans announced to the Council and the Citizens that Reverend Darryl Moore's Father passed on last night, and asked that we keep Reverend Moore and his Family in our thoughts and Prayers. Mayor Evans further stated that the Funeral is planned for Saturday in Greensboro, and he will give an update as it relates to the time as soon as the Funeral arrangements are complete. Mayor Evans stated that Ms. Brenda (B.J.) Smothers, his Executive Assistant, is still out due to medical leave, and asked that we keep her in our thoughts and Prayers, as well.

PRESENTATION OF LONGEVITY CERTIFICATES AND PINS

Mayor Evans stated he would like to present a Certificate of Service and Longevity Pin in recognition of the following employee: Mr. Roosevelt Goldsby, Tax & License Department, *Fifteen Years of Service* to the City of Selma. Mayor Evans stated he would like to thank him for his Years of Dedicated Service to the City of Selma, and he was presented with a Longevity Pin. President Williamson stated, on behalf of the Council, that they certainly appreciate all of what he does for the City of Selma.

MAYOR'S REPORT

Mayor Evans stated that Mr. Brandon Williams, Band Director for Selma High School, is present at tonight's Council Meeting and that they are trying to raise money for new Band uniforms, and that they are getting ready for the "Battle of the Bands" that is coming up in the near future. Mayor Evans asked that Mr. Williams come forward to address the Council. Mr. Williams addressed the Council and thanked them for their overall support in the past on behalf of the Selma High School Band. Mr. Williams stated that the Students have had their present uniforms for Ten (10) years, and that they have been doing the best that they can. Mr. Williams further stated on Saturday, November 5th, they are hosting their Tenth Annual Central Alabama Band Competition, and that Bands from all over the State of Alabama will be coming in to participate in this event, which is their biggest fundraiser of the year. Mr. Williams stated that they are the only school in the State of Alabama that does a traditional "high school band competition". Mr. Williams stated that they are asking for \$3,500.00 because the fundraiser will incur a lot of expenses, but they will appreciate any amount that the Council will be able to give them. Mr. Williams invited the Council and everyone in the audience to come and support them on next Saturday, November 5th.

RESOLUTION. Mayor Evans stated to Council that he would like to present and acknowledge the following Resolution, and that each of them should also have copies within their packets:

Resolution - "Honoring the Life of Reverend Fred L. Shuttlesworth". Mayor Evans stated to Council that he would like to recognize in Memory, a *Resolution, "Honoring the Life of Reverend Fred L. Shuttlesworth"*. Mayor Evans, on behalf of himself and the Council, read the Resolution in its entirety, and asked the Citizens to join them in *Honoring* the Life of Reverend Fred L. Shuttlesworth with this Resolution. Reverend Shuttlesworth worked as a Laborer and a Truck Driver while studying Theology at night. He was Ordained in 1948, and Pastored at several Churches before graduating from Selma University in 1951, and Alabama State College in 1952, while he was Pastor of First Baptist Church in Selma. In 1953, Reverend Shuttlesworth became Pastor of Bethel Baptist Church in Birmingham, and on Christmas Night in 1956, 16 sticks of dynamite detonated outside Reverend Shuttlesworth's bedroom as he slept. The next day, he led a protest against segregation on buses in Birmingham, and in 1957, he was beaten by a mob when he tried to enroll Two (2) of his Children in an all-White school in Birmingham. Reverend Shuttlesworth joined Dr. Martin Luther King, Jr., Reverend Ralph David Abernathy and Mr. Bayard Rustin, to form the Southern Christian Leadership Conference in 1957; in 1960, he participated in the sit-in protests against segregated lunch counters, and in 1961, he helped the *Congress on Racial Equality*, organize its "*Freedom Rides*". Reverend Shuttlesworth moved to Cincinnati in 1961, and was a Pastor there for most of the next 47 years, and returned back to Birmingham, in 2008. During that time, he remained active in the movement in Alabama; and, in 1963, he led mass demonstrations against segregation in Birmingham, and convinced Dr. King and Reverend Abernathy to come to Birmingham to join in the protests. The confrontations with Birmingham's Public Safety Commissioner, Bull Connor, led to Dr. King's arrest and Reverend Shuttlesworth's hospitalization after he was slammed against a wall by water from fire hoses; "*The Birmingham Campaign*" led to the passage of the Landmark Civil Rights Act of 1964. In 1965, Reverend Shuttlesworth helped to organize the March from "Selma-to-Montgomery" that led to the passage of the Voting Rights Act of 1965. In later years, he took part in commemorative activities on the Anniversary of the March, most notably in 2007, when then-Senator Barack Obama pushed Reverend Shuttlesworth's wheelchair across the Edmund Pettus Bridge in Selma. On the occasion of his passing, President Obama said that Reverend Shuttlesworth's fight benefited all Americans, and that "America owes Reverend Shuttlesworth, a debt of gratitude". Mayor Evans, the City Council, and the Citizens of Selma, Alabama extend our Deepest Sympathy to the Family of Reverend Fred L. Shuttlesworth. A copy of this Resolution was presented to his Family as an Expression of the High Regard in which his Memory is held by the Mayor, City Council, and the Citizens of City of Selma, Alabama.

A. Resolution #R107-11/12 - Resolution to Declare an Emergency, Update on Landfill. Mayor Evans stated to Council that they should have before them Resolution #R107-11/12, and asked the Council to Declare an Emergency so that we can move forward in getting that particular area cleaned up. Mayor Evans further stated that he has gotten Three (3) proposals to try to get the clean-up done. Mayor Evans asked the Council to give him the authority to meet with the individuals again this week, to try to get this closed out by the end of the week, so that we can let A.D.E.M. know that we are moving forward on this. Mayor Evans stated that the proposals that he has gotten range from one company in the amount of \$33,738.00, another, \$24,300.00, and another group in the amount of \$39,000.00 - \$44,200.00 to move the trash and garbage from the Complex to Uniontown, clearing it out in the neighborhood of Sixty (60) days, roughly. Mayor Evans stated that the monies needed for cleaning up the property can come from unappropriated funds in the 2012 budget. Mayor Evans further stated that we can use \$45,000.00, charged to Landfill Professional Services, which would leave a balance of \$16,803.00 in unappropriated funds in the 2012 budget. Mayor Evans stated that the additional landfill tipping fees can come from the FY 2011 fund balance (Refund from Retirement Fund Warrants). Mayor Evans stated that the approximate amount of \$45,000.00 for tipping fees can be charged to account #1.6000 100.61 (Tipping Fees), and that the amount received from the Pension Plan was \$363,687.00. Councilman Randolph asked Mayor Evans if he was stating that this money will come from the Pension Plan? Mayor Evans answered, and stated that it will come from the unappropriated funds, the \$363,687.00, that we got from the Pension Plan. Mayor Evans further stated to the Council that they have

already approved some monies to come out of that fund; tentatively \$66,000.00 for the Movie Theater Project, and the Marie Foster Culvert Project. Mayor Evans stated that that money is dwindling down, and that these are funds that were not budgeted, and we are fortunate enough to have the \$363,687.00 from that Project, to try to meet the obligations. During discussion, a motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R107-11/12, Resolution to Declare an Emergency, which gives Mayor Evans authority to move forward with negotiations, for the lowest proposed amount to remove the trash and garbage, via unappropriated funds in the 2012 Budget, which is currently \$61,803.00. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present. During roll call, Councilman Randolph stated he is voting "yes" because he knows that this needs to be done but he still feels that that money should be used to give our Employees a pay raise, "with all said and done, he is going to vote 'yes'".

B. Mayor's Charity Golf Classic. Mayor Evans stated to Council that he is asking them through their discretionary funds to assist him as City Government to support the Mayor's Charity Golf Classic, scheduled for November 15th and November 16th. Mayor Evans stated to Council that on Tuesday, November 15th, between 10:30 a.m. and 1:30 p.m., we are having a "Special Banquet" for the Special-Needs Children, for Selma and Dallas County, and he is asking all of the Council to come and be a part of it. Mayor Evans further stated that "Mickey and Minnie" will be there, "Sparky", along with "Sponge Bob" to entertain the Children, and we are just going to make it a *Celebration* for our Special-Needs Children. Mayor Evans stated that he is also asking all of the potential "Golfers" to come out spend time with the Kids. Mayor Evans stated on Wednesday, November 16th, we will have the Golf Tournament to raise money to give to the Six (6) Agencies that we gave to on last year. Mayor Evans stated he would like to ask the Council, hopefully in their "giving", to donate something towards this, because this is our function. Mayor Evans stated that he would appreciate very much, any amount that they can give to defray expenses.

C. Response to Questions Submitted by Former Mayor James Perkins, Jr. on September 13, 2011/Audit Response. Mayor Evans asked President Williamson if he received a copy of the Response to Questions Submitted by Former Mayor James Perkins on September 13, 2011/ Audit Response, in his packet? President Williamson answered, and stated that he did. Mayor Evans stated to the Council that he wanted to give an update to a Request that was given to us by Former Mayor Perkins some time ago, and make it available to the Council President and the Council Members. Mayor Evans stated that he is responding to it by addressing his letter to Dr. Cecil Williamson because he thinks his initial letter was addressed to Dr. Williamson, and he passed it on to him. Mayor Evans read the answers to the questions that were asked of him in the order that they were asked, and stated this is his Response to Questions from Former Mayor James Perkins Submitted to the Council at its Meeting on September 13, 2011, regarding Garbage Pick Up, Landfill Management, and Illegal Dump Questions. Mayor Evans asked that they refer to the attachment as it relates to the questions that were asked. Mayor Evans stated to Council that this letter will be forwarded to Former Mayor Perkins, as well, as his Response to the Questions that were submitted during the Council Meeting on Tuesday, September 13, 2011. Mayor Evans stated that the last question that he received that was turned into the Clerk that he is responding to at this point is his request that the Clerk provide for him all of the Audits from 1999 - 2010 for his perusal. Mayor Evans stated his response to Former Mayor Perkins is this; on October 8, 2011 you completed a form requesting information to review Audit Reports from 1999 - 2010. Mayor Evans stated the Audit Reports from 2007 - 2010 can be found on the City of Selma's Website. Mayor Evans further stated any previous Audit Reports prior to 2007, during his Administration, was associated with a cost per copy which can be requested through the City Clerk's Office, per his expense. Mayor Evans stated any copy from 1 - 20 pages would cost \$1.25 per page, and copies of 25 or more would be at a cost of \$1.75 per page. Mayor Evans stated anyone requesting copies of the Audit Report, would be based on a cost of \$1.25 per copy, or \$1.75 depending on number of pages. Mayor Evans stated to President Williamson and the Council that he believes this would hopefully put to rest the Questions that were introduced here in the Council Meeting for information to be actually passed on to Former Mayor Perkins. President Williamson stated to Mayor Evans that this probably will not put it to rest because this was strictly political grandstanding, and he thinks the people of Selma need to realize that the ordinary life of a Landfill is 25 - 30 years. President Williamson further stated with this Landfill it is 12 - 15 years because the Hydrologist told Former Mayor Perkins not to build the Landfill there because it's in a flood plane, and one fourth (1/4) of the land out there cannot be used; that it's already got a pond on it. President Williamson stated that he thinks the people of Selma need to know who started this problem out there at the Landfill, and this is just "my comment, not yours". Mayor Evans stated to President Williamson, that certainly he is entitled to his "comments", but that he wanted he and the Council to know that he has done the best he can on this.

D. Resolution #R109-11/12 - Water Avenue Resurfacing and Brick Paving Contract Award. Mayor Evans stated to Council that they should each have before them a copy of Resolution #R109-11/12, Water Avenue Resurfacing and Brick Paving. Mayor Evans further stated that sealed bids were received by the City of Selma, for the Resurfacing and Brick Paving along Water Avenue from Franklin Street to Dr. Martin Luther King, Jr. Street, and from the brick paving of the entranceway to the new Riverfront Park, at the Green Street Entrance. Mayor Evans stated that Asphalt Contractors Company was the lowest responsible bidder, in the amount of \$175,895.00. Mayor Evans asked Council's consideration and approval in an effort to move forward with this. A motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to approve Resolution #R109-11/12, Water Avenue Resurfacing and Brick Paving

Contract Award, in the amount of \$175,895.00, via the Municipal Gas Tax Account. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

E. **Reminder, and Announcements.** Mayor Evans stated he would like to announce, and remind Citizens and the Council of the following:

- (1) *Free Immigration Seminar – October 27, 2011 – 7:15 a.m. – 9:30 a.m.*
- (2) *P.A.L.S. Halloween Party, Thursday, October 27, 2011 – 5:00 p.m.*
- (3) *The Historic St. James Hotel Adult Halloween Costume Party – Thursday, October 27, 2011– 7:00 p.m. – 12:00 Midnight*
- (4) *4-on-4 Basketball Tournament and Festival – Saturday, October 29th, 11:00 p.m. – 6:00 p.m.*
- (5) *Cash for Guns – October 29, 2011 – 10:00 a.m. – 2:00 p.m.*
- (6) *Taking Back Unwanted Prescription Drugs – October 29, 2011 - 10:00 a.m. – 2:00 p.m.*
- (7) *Halloween Monster March – Monday, October 31st – Face Painting - 3:00 p.m. – 3:45 p.m. – Selma Public Library – “Monster March” – 4:00 p.m. – 4:30 p.m.*
- (8) *Goody's Grand Opening – Thursday, November 3, 2011 – 9:00 a.m.*
- (9) *Kenan's Mill Festival – Saturday, November 5th – 9:00 a.m. – 5:00 p.m.*
- (10) *“Blue Jean Ball” – November 10th – 6:30 p.m. – 10:30 p.m., Old National Guard Armory*
- (11) *The Coffee Shop Grand Opening – “Ribbon Cutting” Monday, November 14, 2011 – 4:00 p.m.*
- (12) *Mayor's Charity Golf Classic – Wednesday, November 16, 2011 – Beginning at 10:00 a.m.*

View the City of Selma Calendar at www.selma-al.gov and the Chamber of Commerce Calendar at www.selmaalabama.com for details and upcoming events.

Mayor Evans stated he intended to recognize Mr. Aubrey Carter before he left for the *Tree Grant* that is being donated to the City of Selma, for the Old Live Oak area. Mayor Evans thanked Mr. Carter and Alabama Power Company for their contributions.

CITY ATTORNEY'S REPORT

A. **ABC License Application for Downtown Sports Bar, LLC – 1122 Water Avenue.**

Attorney Nunn stated to Council that they should have before them an Alcoholic Beverage License as it relates to Downtown Sports Bar, LLC, for a Lounge Retail Liquor License, Class I, which is located at 1122 Water Avenue. Attorney Nunn further stated that said Alcoholic Beverage License Application is up for 1st Reading tonight, and asked Council's consideration of the same. A motion was made by Councilman Tucker, and seconded by Councilman Bowie, to approve placing said Alcoholic Beverage License of Downtown Sports Bar, LLC, on 1st Reading. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

B. **Resolution #R106-11/12, Declaring Certain Properties as Unsafe Structures.** Attorney Nunn stated to Council that what they have before them is Resolution #R106-11/12, Resolution Declaring Certain Properties as Unsafe Structures, which deals with dilapidated houses and unsafe structures; properties that have been classified as “dangerous buildings” and/or a “nuisance” under the Code of Ordinances of the City of Selma. Attorney Nunn further stated that there is a total of Four (4) Properties, and that this is the initial stage, which gives the Code Enforcement Office and the City Clerk's office, the authority to proceed with forwarding notices, via certified mail, notifying each property owner and, further advising that said property owner has Forty-Five (45) days in which to rectify the condition of said property. Attorney Nunn asked Council's consideration of the same. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve Resolution #R106-11/12, Resolution Declaring Certain Properties as Unsafe Structures. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

C. **Resolution #R108-11/12, Resolution to Waive \$1.00 Ticket Tax.** Attorney Nunn stated to Council that if they recall during our last Council Meeting, Mayor Evans presented a Proposal to the Council as it relates to a Movie Theater to be operated at the Performing Arts Center. Attorney Nunn further stated during the Proposal there were several requests made, and one of the requests was to waive the \$1.00 Ticket Privilege and License Tax. Attorney Nunn stated that we did vote on the Proposal but we did not take a vote on waiving the \$1.00 Ticket, Privilege and License Tax. Attorney Nunn further stated to Council that they should have before them Resolution #R108-11/12, Resolution to Waive \$1.00 Ticket Tax, and in said Resolution it states that it would be in the best interest of the City of Selma to enter into a contract with David and Sharon Jackson for the operation of a Movie Theater, with Mayor Evans being authorized to execute a One (1) year contract, with the option to renew said contract for a maximum of Twelve (12) additional months, and that as an incentive to increase the success of said Theater, the City will waive the Privilege and License Tax of One Dollar (\$1.00) per ticket sold during the initial One (1) year term, and during the One (1) year renewal term for a total waiver of Two (2) years. A motion was made by Councilman Tucker, and

seconded by Councilman Bowie, to approve Resolution #R108-11/12, Resolution to Waive \$1.00 Ticket Tax. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

D. Legal Action Pending Against the City of Selma. Attorney Nunn stated to Council that they should have received within their packets, Legal "Actions" pending against the City of Selma, drafted by the Law Office of Holtsford Gilliland Higgins Hitson and Howard, Attorneys and Counselors at Law, for our Insurance Company, Alabama Municipal Insurance Corporation. Attorney Nunn further stated to Council that they should have a total of Eleven (11) pending cases. Attorney Nunn stated that One (1) of the cases has been *Dismissed* against the City of Selma; namely, Item Number One, and Two (2) others are in the process of being *Dismissed*, which are the "Sister" Cases to the One (1) that has already been *Dismissed*, which would leave us with a total of maybe Eight (8) or Nine (9) cases that will be pending against the City of Selma.

E. Reimbursement of Deductible - A.M.I.C. Statement. Attorney Nunn stated to Council that they should have before them an A.M.I.C. Statement/Invoice in the amount of \$14,754.46, for Nine (9) claims as listed therein. Attorney Nunn asked Council's consideration for approval of the same. A motion was made by Councilman Bowie, and seconded by Councilman Tucker, to approve payment of the A.M.I.C. Invoice/Statement in the amount of \$14,754.46. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

F. Resolution #R105-11/12, Resolution to Revoke Business License (12th Stone). Attorney Nunn stated to Council that if they recall, we did have a Hearing as it relates to the 12th Stone whereby action was taken by the Council to Revoke the Business License of 12th Stone. Attorney Nunn further stated that said action was put in Resolution form; namely, Resolution #R105-11/12, and that everybody should have a copy of that. Attorney Nunn stated that action has already been taken, and no further action needs to be taken; that this is being given to them for the purpose of their information only.

G. Whether Salaries of Council Members and Mayors Can Be Reduced During Term of Office. Attorney Nunn stated to Council that during the last Council Meeting, a question was asked of him by President Williamson whether the Mayor or the City Council Salaries could be decreased during their Term of Office. Attorney Nunn further stated that the answer to that question comes up 11-43-9, under the State of Alabama Code, "Compensation Unchanged During Term of Office": Attorney Nunn stated, in essence, it states "The fees, salary, or compensation of any officer whose election or appointment is required or authorized by the applicable provisions of this title shall not be increased nor diminished during the term for which they are serving". President Williamson stated in the discussion about the raises for Employees, that was one of the proposals, to actually in a Resolution, decrease the salaries of the Mayor and Council, but that can not be legally be done. Attorney Nunn concurred, and stated that that cannot be legally done, and the only way that they can decrease their salaries is if they voluntarily give it up.

BUSINESS ITEMS:

I. NOISE ORDINANCE

President Williamson stated he wanted to remind everybody that we still have a Noise Ordinance in place.

II. RED LIGHT CAMERAS

President Williamson stated that he believes that the Red Light Cameras are operating at Three (3) locations, and asked everyone to be careful everywhere, particularly around those Three (3) locations where the Cameras are located.

III. WARD 4 COMMUNITY DEVELOPMENT UPDATE

Councilwoman Benjamin stated that this Item is Continued.

IV. PUBLIC SAFETY TOWN HALL MEETING - OCTOBER 27, 2011

Councilman Bowie stated that he just wanted to remind everybody about the Public Safety Forum on Thursday Night, October 27, 2011, beginning at 6:00 p.m., at the Convention Center. Councilman Bowie stated that they are asking all Citizens to come out with their questions and concerns. Councilman Bowie further stated that Chief Riley, Chief Stokes, Judge Chestnut, District Attorney Jackson, and Sheriff Huffman will be there. Councilman Bowie asked Mr. Rick Couch to do an article in the newspaper to remind the Citizens, and also the Businesses to come out. President Williamson also stated that the Public is invited, and encouraged to attend.

V. OLD Y.M.C.A. BUILDING

Councilman Bjelke stated an Ad Hoc Meeting was held several weeks ago, which was made up of local contractors, local architects, and Businessmen, and again on last week, they met. Councilman Bjelke further stated that they are still gathering information, and that Mayor Evans and he have a meeting set up with Mr. Bolton on Tuesday, November 1st. Councilman Bjelke stated that he has also spoken with Mr. Swift to assure him that progress is going on with this, and that they are looking at every possibility, that there is something being done.

STANDING COMMITTEE REPORTS

RECREATION COMMITTEE - Councilman Samuel Randolph, Chairman

Councilman Randolph was absent from the Council Meeting during this time. (President Williamson stated that Councilman Randolph had to leave to go to the School Board Meeting.)

ADMINISTRATIVE COMMITTEE - Councilman Corey Bowie, Chairman

No Report.

PUBLIC SAFETY COMMITTEE - Councilman Thomas Atchison, Chairman

Councilman Atchison was absent from the Council Meeting. (President Williamson stated that Councilman Atchison was in Court this afternoon in Helena, and did not make it back in time for the Council Meeting.)

COMMUNITY DEVELOPMENT - Councilwoman Susan Keith, Chairman

Councilwoman Keith was absent from the Council Meeting. (President Williamson stated that Councilwoman Keith is in a Meeting in Memphis about Recycling.)

PUBLIC WORKS/GENERAL SERVICES COMMITTEE - Councilman Gregory Bjelke, Chairperson

Councilman Bjelke made a report.

DISCRETIONARY COMMITTEE - President Cecil Williamson, Chairperson

President Williamson stated that we did have discretionary requests for tonight, and that they did help everybody that came, and that he will be placing a copy of the Discretionary Report in everybody's mailbox.

CHILDREN AND FAMILIES - Councilwoman Angela Benjamin, Chairperson

No Report.

SELMA-DALLAS YOUTH AMBASSADORS - Councilwoman Bennie Ruth Crenshaw, Chairperson

Councilwoman Crenshaw was absent from the Council Meeting during this time.

CLOSING REMARKS BY EACH COUNCIL MEMBER.

FOLLOWING CLOSING REMARKS - RESCHEDULED COUNCIL MEETING FROM TUESDAY, NOVEMBER 8, 2011

During discussion, a motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to approve rescheduling the Council Meeting from Tuesday, November 8, 2011, to Tuesday, November 15, 2011, due to some of the Council Members being in attendance at the National League of Cities' Conference in Phoenix, Arizona. A roll call vote was taken and the motion passed with a unanimous vote of the Council Members present.

ADJOURNMENT

There being no further business to come before the Council, a motion was made by Councilwoman Benjamin, and seconded by Councilman Bowie, to adjourn this meeting, and by unanimous consent of the Council, this meeting adjourned at 7:05 p.m.



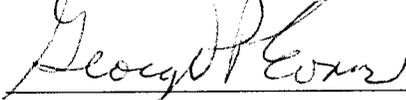
DR. CECIL WILLIAMSON, *Council President*

ATTEST:



IVY S. HARRISON, *City Clerk*

APPROVED:



GEORGE PATRICK EVANS, *Mayor*